

In accordance with the Board's regulations, a member of the FTZ Staff has been designated examiner to investigate the application and report to the Board.

Public comment on the application is invited from interested parties. Submissions (original and three copies) shall be addressed to the Board's Executive Secretary at the address below. The closing period for their receipt is January 8, 1996. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period (to January 23, 1996).

A copy of the application and the accompanying exhibits will be available for public inspection at each of the following locations:

U.S. Export Assistance Center, Marquis II Tower, Suite 200, 285 Peachtree Center Avenue, N.E., Atlanta, GA 30303.

Office of the Executive Secretary, Foreign-Trade Zones Board, U.S. Department of Commerce, Room 3716, 14th Street & Pennsylvania Avenue, NW, Washington, DC 20230.

Dated: November 2, 1995.

John J. Da Ponte, Jr.,
Executive Secretary.

[FR Doc. 95-27835 Filed 11-8-95; 8:45 am]

BILLING CODE 3510-DS-P

[Docket 67-95]

Foreign-Trade Zone 72—Indianapolis, Indiana Application for Subzone; Thomson Consumer Electronics, Inc.

An application has been submitted to the Foreign-Trade Zones Board (the Board) by the Indianapolis Airport Authority, grantee of FTZ 72, requesting special-purpose subzone status for the warehouse/distribution facilities of Thomson Consumer Electronics, Inc. (Thomson), in the Indianapolis, Indiana area. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a-81u), and the regulations of the Board (15 CFR part 400). It was formally filed on October 31, 1995.

Thomson is a subsidiary of Thomson, S.A., one of the world's largest manufacturers and marketers of consumer electronics products. Its U.S. headquarters is located in Indianapolis. Thomson (U.S.) employs 6,900 people, and its total sales exceeded \$4.5 billion in 1994.

The proposal calls for subzone status at 4 Thomson facilities in Indiana: *Site 1* (52 acres)—export distribution facility, 710 South Girls School Road, Indianapolis; *Site 2* (189 acres)—

television distribution facility, 1300 South Rogers Street, Bloomington; *Site 3* (30 acres)—cathode ray tube storage facility for color TV tube manufacturing plant, 1001 East 38th Street, Marion; and, *Site 4* (7 acres)—TV tube warehouse, 1908 Stout Field West Drive, Indianapolis. The facilities (270 employees) are used to warehouse and distribute a variety of consumer electronic products including: televisions, VCRs, picture tubes, audio equipment, and telecommunication products. No requests for manufacturing authority are being made at this time. Some 6 percent of the products shipped from the plant are exported.

Zone procedures would exempt Thomson from Customs duty payments on the foreign items that are reexported. On domestic sales, it would be able to defer Customs duty payments until the items are shipped from the facilities. The application indicates that the zone savings would help improve the facilities' international competitiveness.

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A copy of the application and accompanying exhibits will be available for public inspection at each of the following locations:

U.S. Department of Commerce District Office, Penwood One, Suite 106, 11405 N. Pennsylvania St., Carmel, Ind. 46032.

Office of the Executive Secretary, Foreign-Trade Zones Board, Room 3716, U.S. Department of Commerce, 14th & Pennsylvania Avenue, N.W., Washington, DC 20230.

Dated: November 2, 1995.

John J. Da Ponte, Jr.,
Executive Secretary.

[FR Doc. 95-27834 Filed 11-8-95; 8:45 am]

BILLING CODE 3510-DS-P

International Trade Administration

[A-570-843]

Notice of Preliminary Determination of Sales at Less Than Fair Value: Bicycles From the People's Republic of China

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

EFFECTIVE DATE: November 9, 1995.

FOR FURTHER INFORMATION CONTACT: Katherine Johnson or Shawn Thompson, Office of Antidumping Investigations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone: (202) 482-4929 or (202) 482-1776, respectively.

THE APPLICABLE STATUTE: Unless otherwise indicated, all citations to the statute are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Tariff Act of 1930 (the Act) by the Uruguay Rounds Agreements Act (URAA).

PRELIMINARY DETERMINATION: We preliminarily determine that bicycles from the People's Republic of China (PRC) are being, or are likely to be, sold in the United States at less than fair value (LTFV), as provided in section 733 of the Act. The estimated margins are shown in the "Suspension of Liquidation" section of this notice.

Case History

Since the initiation of this investigation on April 25, 1995 (60 FR 21065, May 1, 1995) the following events have occurred:

On April 28 and May 11 and 12, 1995, we sent surveys to the PRC's Ministry of Foreign Trade and Economic Cooperation (MOFTEC) requesting the identification of producers and exporters, and information on production and sales of bicycles exported to the United States. We also sent courtesy copies of this survey to the China Chamber of Commerce for Machinery and Electronics Products Imports and Exports (China Chamber) and the China Chamber of Commerce for Import/Export of Light Industrial Products. In June, the China Chamber submitted responses to the Department of Commerce's (the Department's) surveys. These responses included partial company-specific data from 29 companies and export data from all companies. See Respondent Selection section of this notice.

On May 22, 1995, the United States International Trade Commission (ITC) notified the Department of its affirmative preliminary determination that there is a reasonable indication that an industry in the United States is threatened with material injury by reason of bicycle imports from China.

On June 22, 1995, petitioners amended the petition to revise the definition of an "incomplete bicycle" in order to discourage circumvention of any antidumping order issued in this investigation. We have revised the scope of this investigation to reflect petitioners' amendment (see the "Scope of Investigation" section of this notice, below).

On June 30, 1995, we determined that, due to limited resources, we would only be able to analyze the responses of the nine largest exporters of PRC bicycles to the United States. In August 1995, we received responses from three of the nine mandatory respondents. We also received responses from six of the nine exporters who had requested voluntary participation. (See Respondent Selection section of this notice).

Also, on June 30, 1995, the Department requested that interested parties provide information for valuing the factors of production and for surrogate country selection. We received comments from the interested parties in September 1995.

On August 18, 1995, petitioners requested a postponement of the preliminary determination. We granted petitioners' request, and postponed the preliminary determination until not later than November 1, 1995 (60 FR 44006, August 24, 1995).

In September 1995, we issued supplemental questionnaires to the nine exporters from whom we received questionnaire responses. Responses to these questionnaires were received in September and October 1995.

On September 15, 1995, petitioners alleged that critical circumstances exist with respect to imports of bicycles from the PRC. Accordingly, on September 20, 1995, the Department requested information regarding shipments of bicycles for the period January 1993 to November 1995 from all respondents participating in this investigation. We received the requested information on October 4 and 5, 1995. For these responding companies, we used company-specific shipment data to perform our critical circumstances analysis. On October 25, 1995, we received updated shipment data for Hua Chin Bicycle Co., Ltd. (Hua Chin). However, this information was received too late to be analyzed for purposes of the preliminary determination.

On September 28, 1995, we issued a supplemental questionnaire to respondents requesting information regarding their selling, general, and administrative (SG&A) expenses. On October 27 and 31, 1995, respondents submitted responses to this questionnaire. Due to the time constraints of this investigation, the Department was unable to analyze this data for purposes of the preliminary determination.

Between September 28, and October 31, 1995, 11 PRC exporters submitted unsolicited section A questionnaire responses and requested separate rates treatment.

On September 25, 1995, and in subsequent submissions, certain respondents requested that the Department terminate the investigation on the grounds that the petition failed to contain all relevant price and cost information reasonably available to petitioners, and because the petition relied on unsubstantiated assertions regarding U.S. prices.

Scope of the Investigation

The product covered by this investigation is bicycles of all types, whether assembled or unassembled, complete or incomplete, finished or unfinished, including industrial bicycles, tandems, recumbents, and folding bicycles. For purposes of this investigation, the following definitions apply irrespective of any different definition that may be found in Customs rulings, U.S. Customs law, or the Harmonized Tariff Schedule of the United States (HTSUS): (1) The term "unassembled" means fully or partially unassembled or disassembled; (2) the term "incomplete" means lacking one or more parts or components with which the complete bicycle is intended to be equipped; and (3) the term "unfinished" means wholly or partially unpainted or lacking decals or other essentially aesthetic material. Specifically, this investigation is intended to cover: (1) Any assembled complete bicycle, whether finished or unfinished; (2) any unassembled complete bicycle, if shipped in a single shipment, regardless of how it is packed and whether it is finished or unfinished; and (3) any incomplete bicycle, defined for purposes of this investigation as a frame, finished or unfinished, whether or not assembled together with a fork, and imported in the same shipment with any two of the following components, whether or not assembled together with the frame and/or fork: (a) The rear wheel; (b) the front wheel; (c) a rear derailleur; (d) a front derailleur; (e) any one caliper or cantilever brake;

(f) an integrated brake lever and shifter, or separate brake lever and click stick lever; (g) crankset; (h) handlebars, with or without a stem; (i) chain; (j) pedals; and (k) seat (saddle), with or without seat post and seat pin.

The scope of this investigation is not intended to cover bicycle parts except to the extent that they are attached to or in the same shipment as an unassembled complete bicycle or an incomplete bicycle, as defined above.

Complete bicycles are classifiable under subheadings 8712.00.15, 8712.00.25, 8712.00.35, 8712.00.44, and 8712.00.48 of the 1995 HTSUS. Incomplete bicycles, as defined above, may be classified for tariff purposes under any of the aforementioned HTSUS subheadings covering complete bicycles or under HTSUS subheadings 8714.91.20-8714.99.80, inclusive (covering various bicycle parts). The HTSUS subheadings are provided for convenience and customs purposes. The written description of the scope of this investigation is dispositive.

Period of Investigation

Our normal practice in cases involving non-market economy countries is to examine sales over a six-month period. In this case, however, we examined the import data for bicycles and noticed a distinct seasonal pattern associated with the Christmas and Spring selling seasons. We, therefore, determined that it would be appropriate to extend the POI to capture a full-year seasonal pattern. As a result, the period of investigation (POI) in this case is April 1, 1994, through March 31, 1995.

Nonmarket Economy Country Status

The Department has treated the PRC as a nonmarket economy country (NME) in all past antidumping investigations (see, e.g., Final Determination of Sales at Less Than Fair Value: Silicon Carbide from the People's Republic of China 59 FR 22585 (May 2, 1994) (Silicon Carbide) and Final Determination of Sales at Less Than Fair Value: Furfuryl Alcohol from the People's Republic of China 60 FR 22544 (May 8, 1995) (Furfuryl Alcohol). Neither respondents nor petitioners have challenged such treatment. Therefore, in accordance with section 771(18)(C) of the Act, we will continue to treat the PRC as an NME in this investigation.

When the Department is investigating imports from an NME, section 773(c)(1) of the Act directs us to base normal value (NV) on the NME producers' factors of production, valued, to the extent possible, in a comparable market economy that is a significant producer of comparable merchandise. The

sources of individual factor prices are discussed under the NV section, below.

Surrogate Country

The Department has determined that India, Kenya, Nigeria, Pakistan, Sri Lanka, and Indonesia are countries comparable to the PRC in terms of overall economic development (see Memorandum from David Mueller, Director, Office of Policy, to Gary Taverman, Acting Director, Office of Antidumping Investigations, dated June 15, 1995).

According to the available information on the record, we have determined that India and Indonesia are significant producers of merchandise comparable to the subject merchandise. India and Indonesia, in fact, produce a broad range of bicycles, including children's bicycles, mountain bicycles, lightweight road bicycles, and BMX bicycles. Moreover, the bicycle industries in both countries, like their PRC counterparts, purchase imported components for production of export-quality bicycles.

Because both countries are significant producers of bicycles, we analyzed the availability and quality of the surrogate price data from both India and Indonesia. Regarding Indonesia, petitioners submitted excerpts from a 1992 Indonesian government survey pertaining to the Indonesian bicycle industry. The survey is an annual government study which contains the average unit values for the majority of components used to produce bicycles. However, this survey does not report prices by material composition, quality, size, or other variations in the physical characteristics of the components. Furthermore, the portions within the survey that pertain to SG&A expenses, as well as profit, are not readily identifiable. It is, therefore, not apparent what should or should not be included in these categories. Lastly, it appears that certain factor values provided in the 1992 study are abnormally high when compared with comparable figures from 1991 and 1993, as provided by respondents subsequent to the initiation of this case.

Regarding India, respondents submitted Indian bicycle industry publications containing suggested wholesale and retail prices of several of the largest bicycle companies in India, covering the entire POI. Respondents also submitted a price list, contemporaneous with the POI, from one of the largest bicycles manufacturers in India, as well as 1993-1994 annual reports from two of the largest bicycle manufacturers in India. We also note that India, like the PRC,

has a long and established tradition of bicycles production. This is not the case with Indonesia, where the bicycles industry was developed relatively recently.

The Indian data, like the Indonesian data, contains prices for components without specific descriptions with regard to size, material content, design, or other variations in the physical characteristics. However, the Indian data, in certain instances, does contain more specific information regarding the characteristics of components than the Indonesian data. In addition, the Indian data encompasses the entire POI. Moreover, contrary to petitioners' assertion that the Indian data submitted by respondents was self-serving, the objectivity of the data was corroborated by the U.S. embassy in New Delhi when it transmitted the identical market publication in response to the Department's request for pricing information. Lastly, the financial reports submitted for two large Indian bicycle companies provided information which was sufficiently detailed to render it usable in calculating factory overhead, SG&A, and profit.

For these reasons, we find that the availability and quality of the Indian data is superior to the Indonesian data. In instances where the Indian data was not available for a particular item, we used Indonesian data (subject to the conditions noted below).

Accordingly, we have calculated NV using Indian prices to value the PRC producers' factors of production, when available and where appropriate. We have obtained and relied upon published publicly available information wherever possible. However, due to the unique nature of the subject merchandise in this investigation, there are certain instances in which the Department determined that the published publicly available information was not adequate. Below is a discussion regarding situations in which we did not use the Indian prices (see, the "Valuation of Bicycle Parts" section of this notice).

Respondent Selection

In NME cases, we presume a single rate is applicable to all exporters and we attempt to examine the sales of all exporters during the POI. As is our normal practice, we sent a survey to MOFTEC to determine who the producers and exporters were, the relationships between and among these companies, and relevant information about production and exports. In response to the survey, the China Chamber of Commerce for Import & Export of Machinery and Electronics

(the Chamber), which covers the bicycle industry, provided a list of companies identified by Chinese Customs as exporters of bicycles from the PRC to the United States, along with their respective export volumes. The Chamber also provided limited company-specific data regarding 29 other firms. This information showed that the number of exporters was extremely large. In fact, based on the information submitted by the Chamber, it appeared that there were well over 100 exporters of Chinese bicycles during the calendar year 1994. Given that we did not have the administrative resources to examine the sales of all exporters, we determined that our investigation would be limited to the analysis of the sales of the nine largest PRC exporters of bicycles from the United States. The identification of the largest exporters was based on the data supplied by the Chamber. We issued questionnaires to MOFTEC with instructions that all nine companies were required to respond to the questionnaire.

At the time we selected these companies, we were aware of at least ten other companies that wished to participate in the investigation as voluntary respondents. Although we had already determined that we did not have the resources to examine more than nine, we indicated that should any of the nine mandatory respondents fail to respond, we would randomly select voluntary respondents for analysis from those companies providing complete questionnaire responses, including a valid separate rates claim, on the date the mandatory responses were due.

On the due date for the nine mandatory respondents, we received questionnaire response from only three, that is, six mandatory respondents failed to respond. Instead, six other companies supplied voluntary responses.

All nine companies who submitted complete questionnaire responses on the due date have qualified for a separate rate. See Separate Rates section below.

Finally, in October, several months after the due date for the mandatory and voluntary responses, we received partial questionnaire responses from 11 companies. These were responses to only section A of the questionnaire which deals primarily with separate rates. We are rejecting these unsolicited responses as untimely. See China-Wide Rate section below for these companies.

Separate Rates

Four of the responding exporters in this investigation are located outside the

PRC. They are (1) Merida Industry (Hong Kong) Co., Ltd./Merida Bicycle Co., Ltd. (hereinafter Merida); (2) Giant China Co., Ltd. (hereinafter Giant); (3) Hua Chin Bicycle Co., Ltd. (hereinafter Hua Chin); and (4) Chitech Industries, Ltd. (Hong Kong) (and affiliated parties Tandem Industries, Ltd. (Hong Kong), Magna Technology Corp. (Taiwan), Taiwan Tandem Co., Ltd. (Taiwan), and Shun Lu Bicycle Co. (aka Shunde Tandem Bicycle Parts Company) (hereinafter Chitech)). Further, there is no PRC ownership of any of these companies. Therefore, we determine that no separate rates analysis is required for these exporters because they are beyond the jurisdiction of the PRC government. See, e.g., Final Determination of Sales at Less Than Fair Value: Disposable Pocket Lighters from the People's Republic of China (60 FR 22359, 22361, May 5, 1995).

The remaining five respondents are joint ventures between Chinese and foreign companies. They are (1) CATIC Bicycle Co., Ltd. (hereinafter CATIC); (2) Shenzhen China Bicycles Co. (Holdings), Ltd. (hereinafter CBC); (3) Shenzhen Overlord Bicycle Co., Ltd. (hereinafter Overlord); (4) Universal Cycle Corp. (hereinafter Universal); and (5) Bo An Bike Co., Ltd. (hereinafter Bo An). For these respondents, a separate rates analysis is necessary to determine whether the exporters are independent from government control.

To establish whether a firm is sufficiently independent from government control to be entitled to a separate rate, the Department analyzes each exporting entity under a test arising out of the Final Determination of Sales at Less Than Fair Value: Sparklers from the People's Republic of China 56 FR 20588 (May 6, 1991) (Sparklers) and amplified in Silicon Carbide. Under the separate rates criteria, the Department assigns separate rates in nonmarket economy cases only if respondents can demonstrate the absence of both *de jure* and *de facto* governmental control over export activities.

1. Absence of De Jure Control

The respondents have placed on the administrative record a number of documents to demonstrate absence of *de jure* control, including laws, regulations and provisions enacted by the State Council of the central government of the PRC. Respondents have also submitted documents which establish that bicycles are not included on the list of products that may be subject to central government export constraints (*Export Provisions*).

In prior cases, the Department has analyzed the laws which the

respondents have submitted in this record and found that they establish an absence of *de jure* control. See Notice of Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination; Certain Partial-Extension Steel Drawer Slides With Rollers From the People's Republic of China, 60 FR 29572, 29573 (June 5, 1995); see also Notice of Final Determination of Sales at Less Than Fair Value: Furfuryl Alcohol From the People's Republic of China, 60 FR 22544 (May 8, 1995). We have no new information in this proceeding which would cause us to reconsider this determination.

However, as in previous cases, there is some evidence, that the PRC central government enactments have not been implemented uniformly among different sectors and/or jurisdictions in the PRC. (See Silicon Carbide and Furfuryl Alcohol.) Therefore, the Department has determined that an analysis of *de facto* control is critical in determining whether respondents are, in fact, subject to a degree of governmental control which would preclude the Department from assigning separate rates.

2. Absence of De Facto Control

The Department typically considers four factors in evaluating whether each respondent is subject to *de facto* governmental control of its export functions: (1) Whether the export prices are set by or subject to the approval of a governmental authority; (2) whether the respondent has authority to negotiate and sign contracts and other agreements; (3) whether the respondent has autonomy from the government in making decisions regarding the selection of management; and (4) whether the respondent retains the proceeds of its export sales and makes independent decisions regarding disposition of profits or financing of losses (see Silicon Carbide and Furfuryl Alcohol).

Each respondent has asserted the following: (1) It establishes its own export prices; (2) it negotiates contracts, without guidance from any governmental entities or organizations; (3) it makes its own personnel decisions and, according to respondents, there is no information on the record suggesting central government control over selection of management; and (4) it retains the proceeds of its export sales, uses profits according to its business needs and has the authority to sell its assets and to obtain loans. In addition, respondents' questionnaire responses indicate that company-specific pricing during the POI does not suggest coordination among exporters. This

information supports a preliminary finding that there is a *de facto* absence of governmental control of export functions.

Consequently, we preliminarily determine that each of the nine exporters has met the criteria for the application of separate rates. We will examine this matter further at verification and determine whether the questionnaire responses are supported by verifiable documentation.

China-Wide Rate

As stated above, six of the mandatory respondents did not respond to the questionnaire. Hence, we are applying a single antidumping rate to these exporters as well as all other exporters in the PRC based on our presumption that the export activities of these respondents who failed to respond are controlled by the PRC government. This PRC-wide antidumping rate is based on adverse facts available.

Facts Available

We have based the China-wide rate on facts available using adverse inferences. Given that this margin involves secondary data contained in the petition (i.e., secondary information), we are required to corroborate this data, to the extent practicable, pursuant to section 776(c) of the Act. See, also, Statement of Administrative Action at 200. We have identified several major items (i.e., depreciation, interest, and profit, as well as the factor values for frames, forks, and rims) contained in the petition which individually comprise a significant portion of the normal value calculations. We compared the data in the petition to secondary data which includes but is not limited to the same type of data used as the basis for the petition and the audited financial reports of two of the largest Indian bicycle producers.

As a result of our analysis, we found that, in the majority of instances, the secondary information for these factor values are comparable to those provided in the petition. Accordingly, this petition information has been corroborated.

However, after analyzing the figures contained in the petition for depreciation, interest and profit (value-added), we found, as did both petitioners and respondents, that this figure does not reflect usual cost and profit in the Indonesian bicycle industry. Specifically, the 57.91 percent figure provided in the petition for 1992 does not correspond with the 22.84 and 22 percent figures provided for 1993 and 1991, respectively. Therefore, we find that the 57.91 percent figure is not

corroborated, (*i.e.*, has no probative value in determining depreciation, interest, and profit).

We have used the 1991 value-added figure for depreciation, profit, and interest in recalculating the margins in the petition. We did not use the more current 1993 figure, because the study containing it was issued only in draft form.

Finally, the respondents have made numerous submissions requesting that the Department rescind the investigation based on the fact that the petitioners had a variety of information available to them which showed lower or even *de minimis* dumping margins. The respondents argue that the Indonesia study is demonstrably aberrant and that the petitioners had access to more accurate Indian data. The respondents also show that the petitioners had access to some Chinese bicycle prices which they did not use in the petition.

We disagree with the respondents that any of the information they provided forms a basis for rescinding the investigation. The statute and regulations lay out in detail the requirements for a petition. In particular, the statute states that the domestic producers are required to provide information supporting each element required, to the extent it is reasonably available. Nevertheless, we are concerned about any potential for abuse or misrepresentation by all parties and to that extent have carefully considered the respondents' allegations. After comparing data in the petition with the information provided by the respondents, we find no evidence of abuse or misrepresentation. Moreover, as discussed above, we have corroborated the data in the petition and, with one exception, are satisfied with the data and have relied on it in making our determination.

Fair Value Comparisons

To determine whether sales of bicycles from the PRC to the United States by the nine PRC exporters were made at less than fair value, we compared the "United States Price" (USP) to the NV, as specified in the "United States Price" and "Normal Value" sections of this notice.

United States Price

For all responding exporters, with the exception of CATIC, which had only constructed export price (CEP) sales, we based USP on export price (EP) in accordance with section 772(a) of the Act, when the subject merchandise was sold directly to the first unaffiliated purchaser in the United States prior to

importation and when CEP methodology was not otherwise indicated.

In addition, for Giant, CBC, CATIC, and Chitech, where sales to the first unaffiliated purchaser took place after importation into the United States, we based USP on CEP, in accordance with section 772(b) of the Act.

We made company-specific adjustments as follows:

1. *Bo An*

We calculated EP based on packed, FOB Hong Kong port prices to unaffiliated purchasers in the United States. We made deductions from the FOB Hong Kong price, where appropriate, for foreign inland freight and brokerage and handling (which includes containerization, documentation fees, the Hong Kong terminal handling charge and PRC brokerage costs) and Hong Kong duty. As all foreign inland freight and brokerage and handling were provided by PRC suppliers, these services were valued in India.

2. *CBC*

We calculated EP and CEP based on packed, FOB Hong Kong port or CIF U.S. port prices to unaffiliated purchasers in the United States, as appropriate. We made deductions from the starting price, where appropriate, for the following services which were provided by market economy suppliers: ocean freight, foreign brokerage and handling (which includes containerization, documentation fees, the Hong Kong terminal handling charge and PRC brokerage costs), marine insurance, Hong Kong duty expenses, U.S. brokerage and handling fees, U.S. duty expenses (which also included harbor maintenance fees and merchandise processing fees), and freight expenses to the first unrelated U.S. customer and/or to the U.S. warehouse. We also deducted from the starting price, where appropriate, an amount for foreign inland freight. However, because these movement services were provided by PRC suppliers, these services were valued in India. We also deducted, where appropriate, discounts and rebates from the starting price.

Because there was insufficient time to analyze U.S. selling expense data submitted by CBC for purposes of this preliminary determination, we did not deduct U.S. selling expenses from CEP. This information will be considered for purposes of the final determination.

3. *CATIC*

We calculated CEP based on FOB warehouse or CIF delivered prices to unaffiliated purchasers in the United States. We made deductions from the starting price, where appropriate, for the following services which were provided by market economy suppliers: ocean freight, marine insurance, Hong Kong duty expenses, U.S. brokerage and handling fees, U.S. duty expenses (which also included harbor maintenance fees and merchandise processing fees), and freight expenses to the first unrelated U.S. customer and/or to the U.S. warehouse. We also deducted from the starting price, where appropriate, an amount for foreign inland freight and foreign brokerage and handling expenses. However, because these movement services were provided by PRC suppliers, these services were valued in India. We also deducted, where appropriate, discounts and repacking expenses from the starting price.

Because there was insufficient time to analyze U.S. selling expense data submitted by CATIC for purposes of this preliminary determination, we did not deduct U.S. selling expenses from CEP. This information will be considered for purposes of the final determination.

4. *Giant*

We calculated EP and CEP based on packed, FOB PRC port or CIF U.S. port prices to unaffiliated purchasers in the United States, as appropriate. We made deductions from the starting price, where appropriate, for the following: foreign inland freight, foreign brokerage and handling, U.S. brokerage, international freight (which includes U.S. inland freight), U.S. duty, loading and containerization, and marine insurance (which also includes U.S. inland insurance, harbor maintenance fees and merchandise processing fees). All of the above expenses were provided by market economy carriers and paid for in market economy currencies. We also deducted an amount for foreign inland freight but since this service was provided by a PRC supplier, we valued this expense in India. We also deducted from the starting price, where appropriate, discounts and rebates.

Because there was insufficient time to analyze U.S. selling expense data submitted by Giant for purposes of this preliminary determination, we did not deduct U.S. selling expenses from CEP. This information will be considered for purposes of the final determination.

5. *Hua Chin*

We calculated EP based on packed, FOB Hong Kong port prices to

unaffiliated purchasers in the United States. We made deductions from the FOB Hong Kong price, where appropriate, for foreign inland freight and Hong Kong terminal handling fees. As all foreign inland freight and handling fees were provided by PRC suppliers, these services were valued in India.

6. Merida

We calculated EP based on packed, FOB Hong Kong port prices to unaffiliated purchasers in the United States. We made deductions from the FOB Hong Kong price, where appropriate, for foreign inland freight and brokerage and handling (which includes containerization, documentation fees, the Hong Kong terminal handling charge and PRC brokerage costs) and Hong Kong duty. As all foreign inland freight and brokerage and handling were provided by PRC suppliers, these services were valued in India.

7. Overlord

We calculated EP based on packed, FOB Hong Kong port prices to unaffiliated purchasers in the United States. We made deductions from the FOB Hong Kong price, where appropriate, for foreign inland freight brokerage and handling and Hong Kong duty. As all foreign inland freight and brokerage and handling were provided by PRC suppliers, these services were valued in India.

8. Chitech

We calculated EP and CEP based on packed, FOB Hong Kong port or CIF U.S. port prices to unaffiliated purchasers in the United States, as appropriate. We made deductions from the starting price, where appropriate, for the following: foreign inland freight, domestic inland insurance, ocean freight (which includes "door to door" delivery and handling), marine insurance, Hong Kong Customs fees, and U.S. duties (including harbor maintenance and merchandise processing fees), U.S. brokerage and handling and U.S. inland freight from port to warehouse, all of which were provided by non-PRC suppliers and paid for in market economy currencies. In addition, we deducted from EP and CEP four types of discounts Chitech offers its customers.

Because there was insufficient time to analyze U.S. selling expense data submitted by Chitech for purposes of this preliminary determination, we did not deduct U.S. selling expenses from CEP. This information will be

considered for purposes of the final determination.

9. Universal

We calculated EP based on packed, FOB Hong Kong port prices to unaffiliated purchasers in the United States. We made deductions from the FOB Hong Kong price, where appropriate, for foreign inland freight, foreign brokerage and handling (which includes containerization, documentation fees, the Hong Kong terminal handling charge, and PRC brokerage costs), and Hong Kong duty. As all foreign inland freight and brokerage and handling were provided by PRC suppliers, these services were valued in India.

Normal Value

In accordance with section 773(c) of the Act we calculated NV based on factors of production reported by the responding exporters. To calculate NV where an input was sourced from a market economy and paid for in market economy currency, we have used the actual price paid for the input in accordance with Department practice, when possible. *Lasko Metal Products v. United States*, 437.3d 1442, 1443 (Fed. Cir. 1994) (*Lasko*)

In instances where inputs were sourced domestically, we valued the factors using publicly available published information from India where possible. Where appropriate Indian values were not available, we used publicly available published information from Indonesia, where possible, or other facts available, such as the publicly ranged market economy prices of the other responding exporters.

Valuation of Bicycle Parts and Components

The nine responding exporters reported that they purchased a large number of different components (e.g., brake sets) and sub-components (e.g., brake arms) for use in assembling finished bicycles. The vast majority of these purchased inputs are sub-components. These inputs, both components and sub-components, vary in terms of material composition (e.g., carbon steel versus aluminum), size, design (e.g., cantilever versus side-pull brakes), and other relevant physical characteristics.

Some inputs are purchased from market-economy suppliers and paid for in convertible currency. Following our normal practice, we used the actual price paid for these inputs, where possible. See, Final Determination of Sales at Less Than Fair Value: Oscillating Fans and Ceiling Fans from

the People's Republic of China FR 56 55271, (October 25, 1991) (*Fans*). However, where the input was not purchased from a market economy supplier and paid for in a market economy currency, it was necessary to develop a surrogate value.

For certain components and sub-components, differences in material content and design result in large price differentials. For example, there is a substantial difference in the price of a frame tube made from high-tensile steel versus one made with chrome-molybdenum. Thus, for example, using a surrogate value for a frame tube of high-tensile steel would unreasonably distort the calculation of NV for a bicycle with a chrome-molybdenum frame. In reality, for certain components, a specific design or material composition can result in a distinctly different input.

With respect to the factors of production methodology, the Court of Appeals has noted that "there is much in the statute that supports the notion that it is Commerce's duty to calculate margins as accurately as possible and to use the best information in doing so." See, *Lasko*. Therefore, to minimize distortions and ensure the most accurate margin calculation possible, we developed a hierarchy for selection of surrogate values for parts and components based on the need for specificity with respect to design or material composition or both. Our first choice under that hierarchy is to use data from India or Indonesia if it is specific with respect to design and material composition or if we could not determine, based on the evidence, whether significant variations in the price data stemmed from design or material composition. Where design or material composition appeared to have a significant impact on price but design or material-specific data was not available in a surrogate country, we used the publicly ranged data on prices from market-economy suppliers to the PRC. We believe that in spite of the ranging, these data are far superior to average values that would not reflect important differences in design and material composition. However, we used this ranged data strictly as a second alternative to design- or material-specific data from India or Indonesia, where available. In one instance, a respondent reported a number of sub-components produced by its affiliated supplier. In that instance, we did not value those subcomponents because we did not have any sufficient price information to do so. Instead, we valued the smallest component that incorporated these subcomponents.

Other Factor Valuations

Where possible, we used public information for the surrogate values. The selection of the surrogate values was based on the quality and contemporaneity of the data. Where possible, we attempted to value material inputs on the basis of tax-exclusive domestic prices. As appropriate, we adjusted input prices to make them delivered prices. For those values not contemporaneous with the POI, we adjusted for inflation using wholesale price indices or, in the case of labor rates, consumer price indices, published in the International Monetary Fund's International Financial Statistics. For a complete analysis of surrogate values, see the Factors Calculation Memorandum to Barbara R. Stafford from the team, dated November 1, 1995.

To value caustic soda, sulfuric acid, nitric acid, oxalic acid, and chromic anhydride, we used public information from POI issues of the Indian publication *Chemical Weekly*. For various phosphates, we relied on import prices contained in the September 1994 issue of *Monthly Statistics of the Foreign Trade of India* (Monthly Statistics).

Regarding sodium bichromate, we could not find a price for this exact input. Therefore, we used an average of prices for two chemicals we found to be equally similar in name to sodium bichromate: sodium dichromate and sodium chromate. We used Indian import price data from *Monthly Statistics* and from the Indian publication, *Chemical Business*, to value this input.

Regarding dimethyl benzene, we could not obtain an exact material price from public information from India. Absent public information from India, we used the price of a similar chemical to value this input from an Indonesian publication. To do this, we used a 1993 price for diethyl benzene from the Indonesian Foreign Trade Statistical Bulletin for Imports (Statistical Bulletin).

To value acetylene, argon gas, and carbon dioxide, we relied on 1993 Indonesian price data in the Statistical Bulletin because we could not locate a price from Indian publications.

To value hydrochloric acid, we relied on a 1993 Indian domestic price quote from *Chemical Weekly* because the prices for this input in other known Indian publications are based on an Indian import category that is not exclusive to hydrochloric acid (see Final Determination of Sales at Less Than Fair Value: Coumarin from the People's

Republic of China FR 59 66895 (December 28, 1995).)

To value degreaser, we used information from the only known Indian publication which contained such a price, *The Analyst's Import Reference 1993, Chemical & Pharmaceutical Products* (The Analyst).

To value solvent, we could not find a material price from publicly available information. Therefore, we used the price of a similar chemical which also dilutes paint, thinner, to value this input. To value solvent, we used Indian price data from *Monthly Statistics*.

To value diesel fuel, we used a POI Indian price from the publication *AP Worldstream*. To value liquefied petroleum gas, we used a POI price from the periodical *Financial Times of India*.

To value electricity, we used an average 1992 industrial rate from the publication *Current Energy Scene in India* because this publication contained data more contemporaneous to the POI than other known publications.

To value labor, we used data from the United Nations' publication *Yearbook of Labor Statistics*. Following the method established in the Preliminary Determination of Sales at Less Than Fair Value: Polyvinyl Alcohol from the PRC 60 FR 52647 (October 10, 1995), we find no basis to assume the skill level of the surrogate value, nor do we have agreement among parties regarding use of this labor rate for skilled and unskilled labor rate assumptions. Thus, we applied a single labor value to all reported labor factors, including indirect labor.

To value scrap metal, we relied on Indian data from *Monthly Statistics*. We treated the scrap metal as a by-product and deducted its value from the cost of manufacture for Merida, Chitech, Overlord, and Giant. This adjustment was not appropriate for the remaining respondents.

For certain subcomponents we had no published prices or publicly ranged market prices from which to choose. Therefore, we valued these specific components based on the content of material (e.g., steel, plastic or rubber).

To value components made of steel, we used an average tax-exclusive 1994 domestic steel price from the Indian publication *Statistics for Iron and Steel*. For components made of plastic, we used Indian price data from *Monthly Statistics*. For components made of rubber, we could not obtain publicly available information. Therefore, we could not value such items for the preliminary determination.

To value factory overhead, SG&A, and profit, we calculated average percentages based on 1993-94 data from

the financial reports of two Indian producers of the subject merchandise. We made certain adjustments to the percentages calculated by the respondents as a result of reclassifying expenses contained in the financial reports.

Finally, to value the packing materials, corrugated cartons, uncorrugated cartons, bubble wrap, staples, adhesive tape, rope, packing paper, polypropylene, polyethylene, and plastic bags, we relied on Indian data from *Monthly Statistics*. To value glue, we used an average price based on Indian price data for two types of glue products from the publication *Chemical Weekly*.

Critical Circumstances

On September 15, 1995, petitioners made a timely allegation that there is a reasonable basis to believe or suspect that critical circumstances exist with respect to imports of subject merchandise.

Section 733(e)(1) of the Act provides that the Department will determine that there is a reasonable basis to believe or suspect that critical circumstances exist if:

(A)(i) there is a history of dumping and material injury by reason of dumped imports in the United States or elsewhere of the subject merchandise, or

(ii) the person by whom, or for whose account, the merchandise was imported knew or should have known that the exporter was selling the subject merchandise at less than its fair value and that there was likely to be material injury by reason of such sales, and

(B) there have been massive imports of the subject merchandise over a relatively short period.

In this investigation, the first criterion is satisfied. Two countries and a customs union—Canada, Mexico, and the European Union—have recently imposed antidumping orders on bicycles from the PRC. Therefore, we preliminarily determine that there is a history of dumping elsewhere of bicycles by PRC producers/exporters. Because there is a history of dumping, it is not necessary to address importer knowledge.

Because we have preliminarily found that the first statutory criterion is met, we must consider the second statutory criterion: whether imports of the merchandise have been massive over a relatively short period. According to 19 CFR 353.16(f) and 353.16(g), we consider the following to determine whether imports have been massive over a relatively short period of time: (1) Volume and value of the imports; (2) seasonal trends (if applicable); and (3) the share of domestic consumption accounted for by the imports.

When examining volume and value data, the Department typically compares the export volume for equal periods immediately preceding and following the filing of the petition. Under 19 CFR 353.16(f)(2), unless the imports in the comparison period have increased by at least 15 percent over the imports during the base period, we will not consider the imports to have been "massive." The Department examines shipment information submitted by the respondent or import statistics when respondent-specific shipment information is not available.

To determine whether or not imports of subject merchandise have been massive over a relatively short period, we compared each respondent's export volume for either the five or six months subsequent to the filing of the petition to that during the five or six months prior to the filing of the petition for all respondents, except Hua Chin, because we had such data. For Hua Chin, we only had three months of shipment data. Therefore, for this company, we compared the export volume for the three months subsequent to the filing of the petition to that during the three months prior to the filing of the petition. These periods were selected based on the Department's practice of using the longest period for which information is available from the month that the petition was submitted through the effective date of the preliminary determination. For the non-responding PRC exporters, we did this analysis using import statistics.

Based on our analysis, we preliminarily find that the increase in imports were less than 15 percent with respect to Merida, Giant, Overlord, CBC, Universal, and CATIC. We found that the increase in imports of the subject merchandise from Bo An, Hua Chin and Chitech and the non-responding companies in the PRC increased by more than 15 percent over a relatively short period. However, based on the evidence of seasonality, discussed below, we do not find the increases to be massive with respect to Bo An, Chitech and the non-responding companies in the PRC. We do find, however, the increase in imports of the subject merchandise from Hua Chin to be massive over a relatively short period of time.

We compared the increase in shipments from the first to the second quarter for the period 1993 to 1995 for Bo An, Chitech, and Hua Chin and the non-responding PRC companies to determine if there was a regular seasonal occurrence associated with spring sales. We found that for Bo An, Chitech, and the non-responding PRC

government there was such a regular occurrence and, therefore, determined the observed increase in the imports between the two periods was not reflective of a massive surge of imports associated with the filing of the petition. Therefore, we determined that imports were not massive for these two companies and the non-responding PRC companies. We noted no such pattern for Hua Chin. We were unable to consider the share of domestic consumption accounted for by the imports, pursuant to 353.16(f)(1)(iii), because the available data did not permit such analysis.

Therefore, because there is a history of dumping of such or similar merchandise, and imports of bicycles from Hua Chin have been massive over a relatively short period of time, we preliminarily determine that there is a reasonable basis to believe or suspect that critical circumstances exist with respect to imports of bicycles from Hua Chin. Because imports from Merida, Giant, Overlord, CBC, Universal, CATIC Bo An, Chitech and the non-responding PRC companies have not been massive, we preliminarily determine that there is not a reasonable basis to believe or suspect that critical circumstances exist with respect to imports of subject merchandise from these companies.

We will make a final determination concerning critical circumstances when we make our final determination of sales at less than fair value in this investigation.

Verification

As provided in section 782(i) of the Act, we will verify the information used in making our final determination.

Suspension of Liquidation

In accordance with section 733(d) of the Act, we are directing the Customs Service to suspend liquidation of all entries of bicycles from the PRC, that are entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the Federal Register. The Customs Service will require a cash deposit or posting of a bond equal to the estimated dumping margins by which the normal value exceeds the USP, as shown below. These suspension of liquidation instructions will remain in effect until further notice. Bo An, CATIC, and Giant will be excepted from these instructions because their sales of subject merchandise were found not to have been sold below fair value. Bo An, CATIC, and Giant's sales of subject merchandise will be excluded from an antidumping duty order should one be issued.

The weighted-average dumping margins are as follows:

Manufacturer/producer/exporter	Weighted-average margin percentage
Bo An	0.00
CATIC	0.00
Giant	0.00
Hua Chin	18.04
Merida	2.39
CBC	5.69
Overload	3.10
Chitech	5.29
Universal	2.87
PRC-wide rate	61.7

The PRC-Wide rate applies to all entries of subject merchandise except for entries from exporters/factories that are identified individually above.

ITC Notification

In accordance with section 733(f) of the Act, we have notified the ITC of our determination. If our final determination is affirmative, the ITC will determine before the later of 120 days after the date of this preliminary determination or 45 days after our final determination whether these imports are materially injuring, or threaten material injury to, the U.S. industry.

Public Comment

In accordance with 19 CFR 353.38, case briefs or other written comments in at least ten copies must be submitted to the Assistant Secretary for Import Administration no later than December 27, 1995, and rebuttal briefs, no later than January 2, 1996. A list of authorities used and a summary of arguments made in the briefs should accompany these briefs. Such summary should be limited to five pages total, including footnotes. We will hold a public hearing, if requested, to afford interested parties an opportunity to comment on arguments raised in case or rebuttal briefs. At this time, the hearing is scheduled for January 4, 1996, the time and place to be determined, at the U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230. Parties should confirm by telephone the time, date, and place of the hearing 48 hours before the scheduled time.

Interested parties who wish to request a hearing, or to participate if one is requested, must submit a written request to the Assistant Secretary for Import Administration, U.S. Department of Commerce, Room B-099, within ten days of the publication of this notice. Requests should contain: (1) The party's name, address, and telephone number; (2) the number of participants; and (3)

a list of the issues to be discussed. In accordance with 19 CFR 353.38(b) oral presentations will be limited to issues raised in the briefs. If this investigation proceeds normally, we will make our final determination by January 16, 1996.

This determination is published pursuant to section 733(f) of the Act.

Dated: November 1, 1995.

Susan G. Esserman,
Assistant Secretary for Import Administration.

[FR Doc. 95-27832 Filed 11-8-95; 8:45 am]

BILLING CODE 3510-DS-P

U.S. Automotive Parts Advisory Committee; Closed Meeting

AGENCY: International Trade Administration, Commerce.

ACTION: Closed meeting of U.S. Automotive Parts Advisory Committee.

SUMMARY: The U.S. Automotive Parts Advisory Committee (the "Committee") advises U.S. Government officials on matters relating to the implementation of the Fair Trade in Auto Parts Act of 1988. The Committee: (1) Reports annually to the Secretary of Commerce on barriers to sales of U.S.-made auto parts and accessories in Japanese markets; (2) assists the Secretary in reporting to the Congress on the progress of sales of U.S.-made auto parts in Japanese markets, including the formation of long-term supplier relationships; (3) reviews and considers data collected on sales of U.S.-made auto parts to Japanese markets; (4) advises the Secretary during consultations with the Government of Japan on these issues; and (5) assists in establishing priorities for the Department's initiatives to increase U.S.-made auto parts sales to Japanese markets, and otherwise provide assistance and direction to the Secretary in carrying out these initiatives. At the meeting, committee members will discuss specific trade and sales expansion programs related to U.S.-Japan automotive parts policy.

DATE AND LOCATION: The meeting will be held on December 6, 1995 from 10:30 a.m. to 3:00 p.m. at the U.S. Department of Commerce in Washington, D.C.

FOR FURTHER INFORMATION CONTACT: Dr. Robert Reck, Office of Automotive Affairs, Trade Development, Room 4036, Washington, D.C. 20230, telephone: (202) 482-1418.

SUPPLEMENTARY INFORMATION: The Assistant Secretary for Administration, with the concurrence of the General Counsel formally determined on July 5, 1994, pursuant to Section 10(d) of the

Federal Advisory Act, as amended, that the series of meetings or portions of meetings of the Committee and of any subcommittee thereof, dealing with privileged or confidential commercial information may be exempt from the provisions of the Act relating to open meeting and public participation therein because these items are concerned with matters that are within the purview of 5 U.S.C. 552b (c)(4) and (9)(B). A copy of the Notice of Determination is available for public inspection and copying in the Department of Commerce Records Inspection Facility, Room 6020, Main Commerce.

Dated: November 1, 1995.

Henry P. Misisco,

Director, Office of Automotive Affairs.

[FR Doc. 95-27730 Filed 11-8-95; 8:45 am]

BILLING CODE 3510-DR-P

National Oceanic and Atmospheric Administration

[I.D. 040795A]

Endangered and Threatened Species; Direct Budgetary Cost Addendum to the Proposed Snake River Salmon Recovery Plan

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of availability; extension of public comment period.

SUMMARY: NMFS is announcing the availability of the Direct Budgetary Cost Addendum (Addendum) to its Proposed Recovery Plan for Snake River Salmon (Proposed Recovery Plan); the Addendum provides more complete estimates of the direct cost to the Federal Government and a better description of the time required to implement the Proposed Recovery Plan. To provide the public with the opportunity to comment on this Addendum and the Proposed Recovery Plan, NMFS is extending the public comment period.

DATES: Comments must be submitted on or before December 11, 1995. NMFS will accept all comments on the Proposed Recovery Plan, including the Direct Cost Addendum, submitted between April 18, 1995, and December 11, 1995.

ADDRESSES: Comments and information regarding the Proposed Recovery Plan and the Addendum, as well as requests for copies of these documents, should be submitted to Snake River Salmon Recovery Plan, National Marine Fisheries Service, 525 NE Oregon Street, Suite 500, Portland, OR 97232.

FOR FURTHER INFORMATION CONTACT: Katherine Hollar, (503) 231-2337.

SUPPLEMENTARY INFORMATION: On April 18, 1995 (60 FR 19388), NMFS published a notice of availability of the Proposed Recovery Plan for Snake River Salmon listed under the Endangered Species Act and announced that the public comment period would close on July 17, 1995. NMFS also announced its intention to provide more complete cost estimates of the Proposed Recovery Plan tasks and a better description of the time required to carry out these tasks. Since April 18, 1995, thousands of members of the public have provided comments on the Proposed Recovery Plan in writing or at public hearings. As a result of the large response, and because the Addendum to the Proposed Recovery Plan was expected to be published in mid-October of 1995, the public comment period was extended to November 17, 1995 (60 FR 44855, August 29, 1995).

NMFS is keenly aware of the public's interest in the process of salmon recovery and values public comments as an important source of information to help improve Federal decisions. Therefore, NMFS further extends the comment period on the Proposed Recovery Plan to December 11, 1995. Copies of the Addendum will be mailed to every person who received the Proposed Recovery Plan and are available upon request (see **ADDRESSES**).

Dated: October 30, 1995.

William W. Fox,

Director, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 95-27746 Filed 11-8-95; 8:45 am]

BILLING CODE 3510-22-F

Notice of Sea Grant Review Panel Meeting

AGENCY: National Oceanic and Atmospheric Administration.

ACTION: Notice of open meeting.

SUMMARY: This notice sets forth the schedule and proposed agenda of a forthcoming meeting of the Sea Grant Review Panel. The meeting will have several purposes. Panel members will provide and discuss follow-up reports of business transacted at the last Sea Grant Review Panel meeting in the areas of management and organization, budget status, strategical and tactical issues, law and policy, new technology and research, economic development, outreach for enhancement of Department of Commerce goals, and new business.